

## BOARD OF FORESTRY AND FIRE PROTECTION

P.O. Box 944246  
SACRAMENTO, CA 94244-2460  
(916) 653-8007  
(916) 653-0989 FAX  
Website: [www.bof.fire.ca.gov](http://www.bof.fire.ca.gov)



### BOARD OF FORESTRY AND FIRE PROTECTION

February 8 and 9, 2005

Sacramento, California

#### BOARD OF FORESTRY MEMBERS PRESENT:

Stan Dixon, Chairman  
Mark Bosetti  
Susan Britting  
David Nawi  
Tharon O'Dell  
Gary Rynearson  
Nancy Drinkard

#### BOARD STAFF:

George Gentry, Executive Officer  
Eric Huff, Executive Officer, Foresters Licensing  
Chris Zimny, Regulations Coordinator  
Mark Hite, Committee Staff  
Laura Estrada, Executive Assistant

#### DEPARTMENTAL STAFF:

Dale Geldert, Director, Forestry and Fire Protection  
Jim Wright, Chief Deputy Director, Forestry and Fire Protection  
Bill Snyder, Deputy Director, Resource Management, Forestry and Fire Protection  
Bill Stewart, Chief FRAP, Forestry and Fire Protection  
Giny Chandler, General Counsel, Department of Forestry and Fire Protection

#### CALL TO ORDER

Chairman Dixon called the February 2005 meeting to order.

#### REPORT OF EXECUTIVE SESSION

Chairman Dixon announced that the Board did meet in Executive Session yesterday afternoon, but no actions were taken. The Board did however, continue closed session for today in the event that it should be needed.

#### APPROVAL OF MINUTES

Chairman Dixon announced that the January 2005 Draft minutes were given to the Board members this morning and will defer any action till the upcoming March Board meeting.

## **CONSENT CALENDAR**

Nothing to report for this month.

## **REPORT OF THE CHAIRMAN**

Chairman Dixon announced that he and the Executive Officer met with members of the Legislature including the Chairman of the Senate Resources Committee, Chairman of the Assembly Resources Committee, Senator Chesbro of the Senate Budget Committee and Assembly Member Berg. Several items were discussed. Chairman Dixon indicated that he wanted the Legislative Leadership to know who the Board was and what we do. They answered questions from all four of the Legislators regarding the CPR report and concerns they had regarding that report. A letter was sent by the Chairman to the Little Hoover Commission and they were able to discuss this letter. Additionally, they met with Senator Kuehl regarding the Fuel Hazard Reduction Rule.

## **REPORT OF THE DIRECTOR**

Dale Geldert, Director, Department of Forestry and Fire Protection, presented a plaque to Mrs. Chris Sharp, who was present and accepted this on behalf of her late husband Dave Sharp, who had given so much while always working in the background in an effort to combat arson and other crimes within the State of California. The Director distributed a handout on this dedication with a listing of eight other CDF employees assigned to the Arson Unit. This plaque will be placed in the Law Enforcement office.

Director Geldert went over the Director's report (handout was distributed to all Board members), which had six items that he discussed. Item one was the Governor's "GRP" report. Item two was the CDF current budget update regarding the Department's temporary budget restriction. Additionally, the Department will still be operating as normal, but will be watching the budget very carefully. On item three the Director gave an update on the San Bernardino Fuels treatment, (handout from Big Bear was distributed to all Board members). On item four he gave an update on the Blue Ribbon Ad Hoc recommendations Committee. Chief Geldert said that the Blue Ribbon Commission got together a couple a months ago and at this time is doing finishing touches on this report and will be following up on medium and low recommendations. Many recommendations have already been completed. A handout on the Governor's Blue ribbon Fire Commission was distributed to all Board members.

Item five was in reference to the Jackson Demonstration State Forest Advisory Group update. The Director asked Mr. Bill Stewart, Fire Resources Assessment Program, (FRAP), to go over the details of the Committee.

Mr. Bill Stewart said that this group is bringing a broad mix of people. The Demonstration State Forests Advisory Group (DSFAG) is appointed by and serves at the pleasure of the Director of the California Department of Forestry and Fire Protection, providing a source of counsel on specific issues brought to the DSFAG by the Director or staff on behalf of the Director. The DSFAG will represent the public and membership will consist of persons with an interest, knowledge or background in Forest Resource Management. Mr. Stewart distributed a list of the group members and 2005 issues.

Member Nawi said that he felt that this Committee was a good idea and had potential to help the Board. Additionally, he asked if the Committee would be involved with the JDSF, Management Plan presently being developed.

Mr. Stewart responded that they would not be involved with the JDSF Management Plan.

Director Geldert introduced Giny Chandler, General Counsel, Department of Forestry and Fire Protection to the Board members.

| Chairman Dixon welcomed Giny Chandler to CDF.

## **UPDATE OF PUBLIC HEARING SCHEDULE RELATED TO BOARD'S DEVELOPMENT OF A POLICY STATEMENT PURSUANT TO PRC 4789**

Mr. Eric Huff, Executive Officer, Foresters Licensing, updated the Board on the hearing schedule. The next meeting is scheduled for February 23, 2005 at the CDF San Bernardino Unit. A notification was sent out and he said he was hopeful that it would be a good turnout.

## **REPORT OF FEDERAL AGENCIES; INCLUDING USDA FOREST SERVICE, NATIONAL MARINE FISHERIES SERVICE, US FISH & WILDLIFE SERVICE, AND US ENVIRONMENTAL PROTECTION AGENCY**

Mr. Mike Chapel, U.S. Forest Service, went over the first Centennial speech given by the Forest Service Chief, Dale Bosworth that took place in Washington, DC in January 3, 2005. A handout of his speech was distributed to all Board members. Mr. Chapel also went over the Hazardous Fuels Accomplishments, 2004. A handout was distributed to the Board members. He also went over a news release on increased funding from the Bush Administration for FY 2006 to maintain and restore forest and rangeland health and a press release on 2005 Federal grazing fee that was announced.

Member Ryneanson inquired about the Quincy Library Group (QLC).

## **REPORT OF STATE AGENCIES; INCLUDING STATE WATER QUALITY CONTROL BOARD, DEPARTMENT OF FISH AND GAME, GEOLOGIC SURVEY**

Nothing to report

## **FUEL HAZARD REDUCTION, 2004 - HEARING**

Mr. Zimny gave a brief introductory overview of the process of the Permanent Fuel Hazard Reduction. He said that today is the continuation of the hearing for the permanent adoption for the Fuel Hazard Reduction Emergency Notice Regulation. On September 3, 2004, it was initially published. An initial hearing was held, on November 2004 and there was a subsequent hearing on January 2005 and the hearing was continued until today. Mr. Zimny said that the Board will continue the public hearing today for the 45-day published notice for permanent adoption of the Fuel Hazard Emergency Regulation. The current status of this regulation is that it was adopted on an emergency basis on June 25, 2004 and is in effect till February 24, 2005, and will terminate unless another action is taken. The general provisions and conditions of this regulation involve establishing a new class of emergency notice under section 1052 of the Forest Practice Rules for Fuel Hazard Reduction. Such a rule would have specific rules under which harvesting would take place for the objective of the Fuel Hazard Reduction, reducing combustible fuel type conditions and configurations. This rule covers specific geographic areas with structures that are in or adjacent to communities that are at risk, as designated on the California Fire Line Website. Mr. Zimny went over the fundamentals of this permanent rule.

Chairman Dixon reported that he some comments to make in regards to the meeting that he and the Executive Officer had with Senator Kuehl. Additionally, with the consent of the Board it was his understanding that the Department did not have any change in their position as represented in the last Board meeting. He said that the Board should then go to public comment and then bring it back to the Board for discussion and recommendation. Chairman Dixon asked if the Board members had any comments.

Member Nawi addressed his question to the Regulations Coordinator and asked if Mr. Zimny had an opportunity to look at the cumulative impacts that he had said he would address in this meeting. Additionally, he asked if Mr. Zimny was going to include this information in his presentation.

Mr. Zimny said that he is available to comment on the preliminary review and assessment of the cumulative impacts whenever the Board would like him to do this.

Chairman Dixon asked if this could be held off until which time he finishes up with his report on Senator Kuehl.

As previously mentioned, the Chairman and Executive Officer met with the Chairman of the Senate Resources Committee 10 days ago, and it was a productive discussion. They discussed communication gaps working with the Legislature and they wanted to work to overcome those gaps so that in the future the Board can be a resource to the Legislature. Senator Kuehl said they would be more than willing to work with the Board staff in the future. They did discuss the Board's permanent rule and LaMalfa Legislation and the differences between the law and the Board's temporary rule and the proposed permanent rule. The Chairman said that the Senator had reservations on the Board's thirty-inch diameter and said she would be willing to work with the Board and would be supportive of going from eighteen inches in the LaMalfa Legislation to twenty-four inches measured at the stump. Senator Kuehl said that she would direct her staff to work with the Board staff to draft language that could possibly go to a larger diameter than the twenty-four inches, if it had the bearing on completing the objective of Fuel Hazard Reduction. The Chairman indicated that Senator Kuehl based her opinion on testimony that was presented in the Legislature, which included a broad range of interests. She felt that this was a compromise that would motivate Fuel Hazard Reduction projects under the Board's permanent rule and agreed with everything else that was in the permanent rule. This will be open for Board discussion. Additionally, this would entail a fifteen-day notice, which would mean that our temporary rule would need to be extended.

Member Nawi asked for a clarification on the Senator's agreement to the compromise of the twenty-four inches at the stump. Was that outside or inside stump diameter.

George Gentry said it was outside.

Chairman Dixon reported that the Senator said the Board should rely on terminology that Professional Foresters use. Additionally, if the Board would be in agreement, the Executive Officer and the Regulations Coordinator would meet with Legislative staff to draft something and bring this back to the Board for potential notice and adoption of the permanent rule.

## **PUBLIC COMMENT**

Mr. Glenn Gottschall, Registered Professional Forester, Forestry Consultant, commented that he is in support of the Emergency Rule for Fuel Hazard Reduction. He represents Highway 108's Fire Safe Council Board of Directors, who had asked him to convey their Board's full support of the rule for permanent adoption. The Fire Safe Council's primary objective is to bring about the removal of hazardous fuels buildup within the wildland urban interface. Trees smaller than 24-inch stump diameter will not provide enough value to offset the cost of most fuel hazard reduction projects, nor will fuel treatment objectives be met with larger trees in most areas of Tuolumne County. He distributed his printed copies of his comments to the Board.

Mr. George Gentry asked Mr. Gottschall if his Fire Safe Council was working on the community wild fire protection plan at this point.

Mr. Gottschall responded that they have worked on it and there is a countywide community wildfire protection plan that is currently in place.

Member Drinkard asked Mr. Gottschall if they have used this emergency option.

Mr. Gottschall responded that they have two examples that are in process at this time, but does not know if they are completed at this time.

Mr. Niel Fischer, representing the California Forestry Association, went over the economics of operations and the risk of adverse cumulative effects. He indicated that economics needs to be part of the incentive. Additionally, Mr. Fischer introduced his new colleague, Ms. Michele Dias,

Ms. Michele Dias, California Foresters Association, CFA, Vice President, Legal Affairs, introduced herself to the Board and said she looks forward to meeting all Board members.

Mr. Paul Violett went over the economics of the projects and any misperceptions that they might have given the Board during previous testimony, which was specifically the unfortunate use of the term "profit". He said it should have been termed as a "positive cash flow". Any positive cash flow that was generated was in trees that were larger than 22 inches. Mr. Violett said that this project is beneficial and the potential for adverse impacts are zero with the application of the Forest Practice Rules.

Chairman Dixon asked Mr. Violett how he calculated the value to his stand on the thinning project that was done on Fuel Hazard Reduction.

Mr. Paul Violett responded by saying primarily risk reduction. He further said it was a probability factor.

Member Nawi asked Mr. Violett if he looked at the reduced fire threat.

Mr. Paul Violett said that fires stayed on the ground because of the treatment.

Member Ryneanson asked if the yield tax was addressed.

Mr. Violett said that the yield tax component was addressed.

Mr. Tom Esgate, Lassen County Fire Safe Council, said that he felt it was important to let the Board know that he actually has to work under this regulation. His biggest issue is getting landowners to take enough trees and not restricting them. They try to get to the 40% crown closure and their challenge is to try to get them to cooperate. The biggest problem with the Emergency Regulation is the requirement to use a Registered Professional Forester. They work under the ten percent dead and dying. The New exemption causes redundancy and another new level that they have to operate under, which makes it more difficult and more costly to get the fuel reduction work done. Mr. Esgate suggested that in the regulation that the Board make some kind of exemption that would follow along the lines of one hundred and fifty foot or the 10% dead and dying exemption that the Board already has on file. The RPF's are not the one making decisions, it is the landowner. The landowner wants to keep the best trees in almost every case. All of their contractors are Licensed Timber Operators (LTO's) and they are familiar with the Foresters Practice Act and the issues that they have to follow and are regulated by the local CDF Forestry person who comes in and reviews their projects to ensure that they are following the Forest Practice Act.

Member Drinkard asked if Mr. Esgate had used the LaMalfa exemption.

Mr. Tom Esgate said he has not seen that particular exemption at this time. He asked when it came out.

Member Drinkard said it was approved in early January. Member Drinkard said that it was an option to consider.

Member Nawi said it would be helpful to have specific language on what he was suggesting. He was not sure if the Board would be able to accommodate him at this late time, but said it would be helpful to have the language.

Mr. Esgate thanked the Executive Officer for making himself so accessible to him. He also said he would work on the specific language and would send it out tomorrow.

Member Drinkard said that by law an emergency notice requires an involvement of an RPF. One vehicle would be an emergency notice and another would be an exemption. The LaMalfa option is an exemption; the Board's rule is an emergency rule requiring the involvement of an RPF. As long as the Board is working on an emergency vehicle, that RPF involvement is required.

Mr. Esgate asked if there was any latitude on the above.

Member Drinkard said that there was not.

Mr. Paul Mason, Sierra Club, said that any feedback regarding this rule is too late at this point. Mr. Mason said one thing that should be looked at is how the Board continues to get good feedback on how people that are using this new methodology out there on the ground, so that the Board can see what kind of changes would be appropriate. Extending the emergency rule would buy more time with the Board and direct staff to interact with Legislative staff and see if there are some possibilities of coming to some kind of mutual agreeable solution, so that it can be brought back to the next Board meeting.

Mr. Charles Greenlaw, Family Forest Land, Southern Lake County, reported that he has done surface fuel and ladder fuel clearing and removal of slash and is familiar with the process. He favors and endorses the permanent rule with the thirty-inch limit that is proposed and disfavors any reduction to the above.

Mr. Richard Geinger said that he endorses Mr. Mason's position on extending the emergency. He also said that the draft requires a 15-day period to wait for the emergency. He wanted to encourage the Board to change the five-day waiting period for the rest of the emergency condition, except for the cutting and removing of trees required for emergency construction and if it could be kept at five days. He said that the 15-day before commencement to enable adequate review of the archeology involved is important. Additionally, he went over a question he had on page twenty-one of the packet that was distributed. He also asked if the cumulative impacts could be looked at carefully. Mr. Geinger said thirty-inch diameter, outside bark, might be more appropriate to the coastal areas.

Member Nawi said that it could be extended as an emergency and work out modifications to the text before us for consideration of the permanent regulation when the Board meets next month and that would have broader acceptability, particularly from Legislature.

Chairman Dixon said that there would be benefits gained by working with the Resources Committees of the Legislature on issues of great importance to the people of the State of California. Start at thirty inches then come down if necessary. Can the Board work with a thirty-inch diameter or can we work with a twenty-four inch diameter. More history may be needed. The Chairman wants to go forward on a rule that will work. The Board needs to have credibility with the Legislature, particularly the Committee's that deal with Forestry Resources.

Member Britting said that she supports the idea and that the Board should move forward.

Mr. Bill Snyder, Deputy Director, Resource Management, Forestry and Fire Protection, requested to move forward with this issue and look beyond the diameter issue. The Department is interested in getting fuel reduction maintained.

Member Rynearson said that it was his hope that this moves forward. It would be safer for communities and provides safety for our firefighters and does provide effective fuel treatment goals.

Member Nawi said that he is prepared to adopt a further extension of the emergency regulation.

Mr. Nawi moved to adopt and approve a further emergency extension and moved to continue the hearing for permanent adoption. Ms. Britting seconded the motion.

Discussion of Board on various options.

Matter of motion amended and motion moved as follows:

**04-7-9**-Mr. Nawi moved to adopt the extension on Emergency Notification, to continue hearing for one month, and form a Subcommittee with Chair of the Forest Practice Committee, Member Britting, to be authorized to work on a 15-day or 45-day notice as appropriate. Member Britting seconded the motion. All Board members were in favor and the motion was carried unanimously.

#### **REPORT OF THE OAK MORTALITY TASK FORCE (COMTF).**

Mr. Mark Stanley, Oak Mortality Task Force, presented a Power Point Presentation and update on an overview of the program to date. A handout was distributed to all Board members on the California Oak Mortality Task Force Report for February 2005.

#### **DISCUSSION OF THE RMAC OAK WOODLAND POLICY RECOMMENDATIONS**

Member O'Dell said that RMAC had public meetings on Oak Woodlands. They had fourteen recommendations.

Mr. Bill Stewart said he went through the report that RMAC did. He felt there were positive ways to deal with the issue . The report has taken a broader landscape view. He felt it was an excellent document.

Member Nawi said that RMAC did a great job.

Member Ryneanson asked about recommendation number five. The question was regarding Board development and pre-screening of an E.I.R.

Mr. Stewart said that it actually should be written as "promoting".

Mr. Jeff Stephens, RMAC, responded by saying that recommendation five is not suggesting that the Board would be the originator.

Member Britting asked about the cost of regulation and residential development.

Member Nawi asked about page thirteen of the recommendations on commercial designation and that it should be written as "could" instead of "would".

Mr. Mike Connor, RMAC, said that recommendations allows the Board to take proactive measures toward the development pressures in the Oak Woodlands in the Foothills area. Additionally, he said that the Department should encourage CDF staff and Fish and Game to get more involved at the local level with some of the project considerations. He also thought it might be possible to encourage CDF staff to be more involved in the CEQA consideration of the project.

Chairman Dixon commended RMAC for the work that was done at the request for the Policy and Management Committee. They appreciate the work and effort that went into those recommendations.

Member Ryneanson asked if the Board was approving the recommendation part of the report and not its entirety?

Member O'Dell confirmed the above.

Member Ryneanson was in approval.

There was further discussion on review of the Joint Policy with Fish and Game.

Chairman Dixon asked the Board members how they wanted to handle the remainder of the recommendations. Additionally, he asked if the Committee wanted to deal with the remainder of the recommendations and bring the proposals to the Board.

Member O'Dell was hoping that he would get some feedback from the Board on whether or not that it would be important enough for the Committee to do if anybody felt strongly about any one or several of those recommendations that would focus the Board's effort. The Committee had no discussion on follow-up other than bringing this up to the Board.

Chairman Dixon said that perhaps the Board should act on the Committee's recommendation and pursue the Joint Policy with the Fish and Game and give the Board the opportunity over the next thirty days from this meeting date to spend some time with these recommendations and come back in March with some ideas about priorities and whether the Board wants to leave it with Policy or revert to another solution.

Member Nawi said that he would support the motion. He also said that there was a general appreciation of the value of Oak Woodlands. Local regulation is probably a better way to go than imposing a statewide regulation on this.

The motion was amended as follows:

**4-12-9-**Member O'Dell made a motion to endorse in concept the recommendations. Member Nawi seconded the motion. All Board members were in favor and the motion was carried unanimously.

## **MONITORING STUDY GROUP (MSG)**

Mr. Pete Cafferata, Forest Hydrologist, Department of Forestry and Fire Protection, Monitoring Study Group, (MSG), gave a brief summary on the meeting that was held February 2, 2005, at the CDF Shasta Trinity Unit Headquarters in Redding. The next MSG meeting is scheduled for April 7, 2005 at the Mendocino County Museum in Willits.

## **PROFESSIONAL FORESTERS EXAMINING COMMITTEE (PFEC)**

Mr. Huff, Executive Officer, Foresters Licensing, said that PFEC is currently working with Dr. John Stuart from Humboldt State to arrange a meeting for March 23, 2005 to take place in Humboldt County. At this time, Mr. Huff is currently reviewing applications for the April 2005 exam.

## **DISCUSSION REGARDING THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) AND MANAGEMENT PLAN FOR JACKSON DEMONSTRATION STATE FOREST (JDSF)**

Mr. Russ Henley, Fire Resource Assessment Program, (FRAP), distributed a handout on the JDSF EIR and Plan Timeline status and went over this with the Board members.

Additionally he said they have met with member Ryneerson and member Nawi on schedule of completion of the E.I.R. They will have a complete Administrative Draft by February 28, 2005 for their review.

Member Nawi reported that George Gentry, Gary Ryneerson and himself received several portions of the draft. It provides for CEQA process and shows a degree of care.

Member Ryneerson said that April 6, 2005 is the tentative date of release of the D.E.I.R.



Chairman Dixon asked if the Committee is recommending any action.

Member Rynearson said not at this time.

## **PUBLIC COMMENT**

Mr. Paul Mason, Sierra Club, asked how and when was the preferred alternative chosen. He said it felt like the Board had not taken action to direct what they wanted the preferred alternative to be. He indicated that it seems as though CDF was handling this issue. He also indicated that it seems as though the Department is trying to get through legal review without the Board, which was clearly designated by the courts as the Lead Agency. Additionally, he said that what he is getting from this whole conversation is that it is going to be awkward or impossible to maintain just the preferred alternative to the extent that the Board may want to do that. Mr. Mason felt that question needed to be clarified.

Mr. George Gentry said that the Board is not constrained in adopting any of the alternatives. It's up to the board to chose from the DEIR.

Member Rynearson said the final document would be based on public input. It's the Department's Forest Plan, but the Board has to approve.

Member Nawi said that the board will have alternatives.

## **RANGE MANAGEMENT ADVISORY COMMITTEE (RMAC)**

Mr. Jeff Stephens, representing the Range Management Advisory Committee (RMAC), reported that RMAC met on January 4 and 5, 2005 on Vegetation Management on State Responsibility lands, focusing particularly on the Departments Vegetation Management Program. In that meeting they generated a list of alternatives and issues that they felt needed to be addressed. Mr. Stephens asked if Board members had received a handout in yesterday's Committee meeting. On that list there were a few items that surfaced, which included alternatives to the present program structure in terms of funding and organization and goals for the VMP program. Additionally, the list included a list of benefits of the existing program. The next meeting for RMAC will be the Vegetation Management Focus group, which will take place on February 24, 2005 at 9:00 a.m. in Sacramento. The focus will be on CDF's VMP program. The full RMAC meeting will take place on April 19 and 20, 2005, in Sacramento.

## **POLICY AND MANAGEMENT COMMITTEE (PMC)**

Mr. Tharon O'Dell, Chair of the PMC, went over information on the agenda. There was an abbreviated focus on the performance-based rules and Keith Greenwood was present in the Committee and went over initiating the Pilot Study of performance based application. Member O'Dell also went over the goals and objectives on what needs to be achieved to do this.

Member O'Dell reported that in Committee Mr. Dennis Hall was willing to consider a larger scale approach on performance based rules at County level. The Department is willing to work with the Committee on this. The Department knows how this can come together. If this were expanded to a County level it would be on Hazard Reduction and not the whole Timber Harvest Plan. Mr. Bill Key with CLFA, was bringing focus on a larger application and acceptance of this approach.

Member Nawi indicated that there was a general consensus with the group on the goals and felt there was no dispute in regards to what the Committee is trying to accomplish.

## **FOREST PRACTICE COMMITTEE (FPC)**

Ms. Sue Britting, Chair of the Forest Practice Committee, FPC, said that the Committee had a continued discussion on recommendations that the Committee might make and bring to the Board on the review of the Heritage Tree Petition. The Committee has completed the review of the Draft document. Revisions to the petition will be made and will be posted on the website. It may be put on the full Board March agenda for discussion and consideration and recommendation from the Committee. There was also a discussion on the Fire Prevention Exemption that resulted from the LaMalfa Legislation that the Board currently has an emergency rule on this and try to move on and adopt a permanent rule. Member Britting went over the adoption process that took place in Committee. There was also a discussion on the Stewardship Non Industrial Management Plan (SNTMP). This was a plan forwarded by a Forest Stewardship Committee Working Group and that was taken under discussion at the last meeting. In yesterday's Committee the policy on regulatory vehicles was reviewed briefly. The final item that was discussed was Transition Silviculture. This was an issue that Roy Richards brought before the Committee in terms of changing the Transition Silviculture rules to make some exceptions for the use of smaller seed trees, when large seed trees were not available.

There was further discussion on this issue.

**4-15-9**-Member Britting made a motion to recommend as a Committee a 15-day notice or as indicated by counsel a 45-day notice on a rule, which the Board recognizes is not fully explored, but recognize the change in wording and discuss in the next Forest Practice Committee meeting those recommendations from CDF and potentially come back to the Board to present those recommendations. Member Drinkard seconded the motion. All Board members were in favor and the motion was carried unanimously.

## **ROADS AND WATERSHED COMMITTEE**

Mr. Gary Rynearson, Chair of the Committee, reported that the Committee met yesterday and discussed the draft Road Management Plan that was modified by staff to reflect the majority of public comments received at the 45-day hearing last year on that document. The Committee had a good discussion and asked staff to go back and review. Additionally, they had a candid discussion on creating a document that may have limited utility. Member Rynearson also went over the Interagency Road Rules Committee report. Mr. Tom Spittler was in attendance. They discussed how to address the Committee and agreed that the items should be done.

Member Rynearson went over a letter that the Committee received from CLFA regarding four issues that were raised for the Board to consider. One was sample marking in the WLPZ, Watercourse Classification in Threatened and Impaired Watercourses (T & I), Emergency Tree Removal under the T&I rules and Mapping in Class Three Watercourses.

The Committee agreed that all four of these items had merit to be reviewed by the Board.

The Committee also reviewed the Ground Based Harvesting operations that had been discussed a few times in past Committee meetings. They reviewed the rules that pertained specifically to the Ground Based regulations. The last discussion was on Watershed Based Regulations, which was a request to go back and consider if they wanted to re-revamp and re-review the issue of the Interim Watershed Mitigation Addendum(IWMA).

Member Rynearson also had a question for the Board and that was if Board members preferred that the four items raised by CLFA should continue to reside in the Watershed Roads Committee or should they be transferred to the Forest Practice Committee.

Member O'Dell suggested that in terms of function, Forest Practice has been the Committee in that area.

Chairman Dixon said if Member Britting is willing to take this on to her Forest Practice Committee that would be appropriate.

Member Britting reported that the Committee could start it in March.

## **REPORT OF THE SENSITIVE WATERSHED NOMINATIONS REVIEW COMMITTEE (SWNRC)**

Mr. Pete Cafferata, Advisory Committee member of the Elk River Sensitive Watershed Nomination Committee, announced that Member O'Dell asked him to give this presentation on the brief meeting that was held on February 3, 2005 in the First American Title Company in Eureka. The purpose of the meeting was to allow representatives from PALCO to summarize the Elk River report on the Waste Discharge document, which has been found by the North Coast Water Board to be complete. The next meeting is scheduled for May 10, 2005, at the First American Title Company in Eureka. The purpose of this meeting is to determine petition completeness and to hear a presentation from David Kuzmar, North Coast Regional Water Quality Control Board on the WDR permit being issued to PALCO.

Mr. Cafferata announced that he does have the report on Waste Discharge electronically. If anyone would like a copy, please advise Mr. Cafferata.

Chairman Dixon asked Member O'Dell how much longer the Committee would be going until they reached some sort of recommendation to the Board.

Mr. O'Dell said at least until late fall.

Chairman Dixon said that he would like to have a meeting with the Director, and possibly Mr. Bill Snyder and Mr. Mark Lovelace to sit down in discussion about the issue regarding if the Board is no longer in existence, what would happen to this particular Sensitive Watershed Nomination.

There was further discussion.

Member Nawi said that possibly Pete Cafferata and Member O'Dell could provide information on agreement or disagreement on a factual summary and then Board Counsel Bruce Reeves would be the next step. At that point it should be addressed to Mr. Gentry on a recommendation on this and possibly see if this can be put on the Board's agenda for next month.

Chairman Dixon was in agreement with Member Nawi's suggestion.

## **PUBLIC COMMENT**

Mr. Richard Geinger said that it is good to continue this as a forum. He also said it was a worthy topic and should be recomposed before any final decision is done on the Sensitive Watershed Nomination

## **RESOURCE PROTECTION COMMITTEE MEETING (RPC)**

Chairman Dixon reported that there were a number of items that were discussed in Committee. One of the items that were given to Committee was by the Regulations Coordinator regarding the next item on the agenda. Additionally, They had a report presentation from Mr. Tom Hoffman, regarding SB 1369.

## **DISCUSSION OF THE PROPOSED ADDITION OF SRA LANDS AND AMENDMENTS TO THE SRA CLASSIFICATION SYSTEM**

Mr. Chris Zimny, Regulations Coordinator, briefly went over the State Responsibility Area (SRA) and discussed some of the changes of the SRA Regulation and specific changes that some units have regarding SRA.

Additionally, Mr. Zimny went over the overview of the mandate for Legislation for the SRA. Mr. Zimny gave a Power Point Presentation on this topic.

Mr. John Craney, Division Chief, Mapping and Staffing, Forestry and Fire Protection, did a SRA briefing on changes that units have requested. He went over SRA characteristics and procedures, (included in the Board Binder).

Member Bosetti asked about the five-year review. He indicated that there is no time line being proposed.

Chairman Dixon asked if member Bosetti was comfortable with this.

**04-16-08**-Member Bosetti made a motion to approve the 45-day notice for hearings for the SRA Classification. Member Nawi seconded the motion. All were in favor and the motion was carried unanimously.

## **REPORT OF THE REGULATIONS COORDINATOR**

Mr. Chris Zimny, Regulations Coordinator, went over the Fuel Hazard Rule and said if the Subcommittee puts out a 15-day notice it will need to go out by Tuesday, the 15<sup>th</sup>. Mr. Zimny did not think it could be processed that quickly.

Mr. Zimny said he forgot to mention the report from the town of Hillsborough. They are currently reviewing this report. This has been included in the Board binder. The Board will need to make some type of adoption in the March Board meeting.

## **REPORT OF THE EXECUTIVE OFFICER**

Mr. Eric Huff reported that Mr. George Gentry would like to have the agenda items from Board members for our upcoming Board meeting in March by next week.

## **Public Forum**

Mr. Richard Geinger asked about Elk River on landslide forensics. He indicated that slide re-activation is a big problem. UC extension and UC Berkley's Forest Department is holding a conference on Forest Futures on May 22 and 23, 2005.

Mr. Geinger felt that there should be a fieldtrip on different size of tree diameters. He also had a question on the Cumulative Watershed Matrix.

Mr. Bill Keye, CLFA, announced that CLFA will be having their Annual Conference and Workshop in March. The theme is their "Silver Anniversary and the Trail Ahead". They will be having speeches with Director Geldert and Senator Keene. It will be held March 4 and 5, 2005 at the Hilton in Sacramento.

Mr. Niel Fischer announced that this would be his last day on this job. He has taken another position in Chico.

## **NEW AND UNFINISHED BUSINESS**

Nothing to report.

**ADJOURNMENT**

Member O'Dell adjourned the February 2005 meeting of the Board.

Respectfully submitted,

ATTEST:

George D. Gentry  
Executive Officer

Stan Dixon  
Chairman

Copies of the attendance sheets can be obtained from the Board Office.